

CHAPTER 29 - ADVISING OR ADVOCATING ON BEHALF OF A CONSUMER

REVISION DATE: 4/16/14

INITIAL IMPLEMENTATION DATE: March 29, 2013

REFERENCES: [42 CFR 438.102](#)

Pursuant to 42 CFR 438.102, the Division may not prohibit, or otherwise restrict, a provider acting within the lawful scope of practice, from advising or advocating on behalf of a consumer who is authorized to receive services from the provider for the following:

- A. The member's health status, medical care, or treatment options including any alternative treatment that may be self-administered.
- B. Any information the member needs in order to decide among all relevant treatment options.
- C. The risks, benefits, and consequences of treatment or no treatment.
- D. The member's right to participate in decisions regarding his or her health care, including the right to refuse treatment, and to express preferences about future treatment decisions.